

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Yafa Yafit Ran,

Plaintiff,

-v-

MOUNT SINAI WEST MEDICAL CENTER, *et*
ano,

Defendants.

USDC SDNY
DOCUMENT
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DATE FILED: 8/11/2025

ORDER

25-CV-2235 (PAE) (HJR)

HENRY J. RICARDO, United States Magistrate Judge.

Plaintiff filed her Complaint on March 14, 2025. ECF No. 1. On June 10, Plaintiffs served the summonses and complaint on Defendants and filed proof of such service on August 6, 2025. ECF Nos. 10–11.

Service must be effectuated in accordance Federal Rule of Civil Procedure 4(e). FRCP 4(e) allows for either personal service or service in accordance with the law of state where the district court is located: in this instance, New York. Neither FRCP Rule 4 nor New York State law allow for service of a complaint by regular mail. Fed. R. Civ. P. 4(e); N.Y. C.P.L.R. § 308 (personal service upon a natural person); *id.* § 311 (personal service upon a corporation or governmental division).

The proof of service filed by Plaintiff states that the summons and complaint were served on both Defendants via the United State Postal Service. ECF Nos. 10–11. As described, such service is insufficient under the Federal Rules of Civil

Procedure. Plaintiff is therefore **ORDERED** to file a new certificate of service or show why service of Defendants by mail was proper by **September 12, 2025**.

Failure to comply with this Order may result in a recommendation to the Honorable Paul A. Engelmayer that this action be dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41.

The Clerk of Court is respectfully directed to mail a copy of this order to Plaintiff.

SO ORDERED.

Dated: August 11, 2025
New York, New York



Henry J. Ricardo
United States Magistrate Judge